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 BERNIER, SUGHROUE and WALROD

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MERAS ENGINEERING, INC., a California
 corporation, RICH BERNIER and JAY
 SUGHROUE,

Plaintiffs,

v.

CH₂O, Inc., a Washington Corporation,

Defendant.

CASE NO. C 11-00389 EMC

**STIPULATION AND [PROPOSED]
 ORDER REGARDING DEADLINES TO
 FILE AND SERVE OPPOSITION AND
 REPLY PAPERS re: PLAINTIFFS'
 MOTION FOR PARTIAL SUMMARY
 JUDGMENT**

MERAS ENGINEERING, INC., a California
 corporation, and CHAD WALROD,

Plaintiffs,

v.

CH₂O, Inc., a Washington Corporation,

Defendant.

CASE NO. C 12-2738 EMC

I.

STIPULATION

This stipulation and order is with regard to the Bernier/Sughroue action, case number 11-00389. Plaintiffs in that action filed a motion for partial summary judgment on June 22, 2012. Pursuant to the Local Rules of the Northern District of California, Defendant's opposition was due 14 days later, on July 6, 2012. ND Cal. LR 7-3. Plaintiffs' reply memorandum would have been due seven days later. *Id.*

1 However, eight days before the opposition was due, the court in which the matter was
 2 then-set vacated the motion hearing date. This was by minute order dated June 28, 2012. [ECF
 3 number 55, case number 11-00389]. As a result, no opposition or reply papers have been filed to
 4 the motion.

5 After the transfer of the case to this court, the motion has been reset for hearing on
 6 October 26, 2012. In order to resolve the ambiguity of filing dates for the opposition and reply
 7 memoranda, the parties therefore agree on the following schedule for the filing of such papers.
 8 This schedule will allow 21 days between the filing of the reply papers and the hearing date for
 9 the motion.

10 Opposition: Defendant will file opposition papers on or before September 21, 2012; and

11 Reply: Plaintiffs will file reply papers on or before October 5, 2012.

12
 13 IT IS SO STIPULATED.

14 Dated: September 5, 2012

CARLE, MACKIE, POWER & ROSS LLP

15 By: s/Kimberly Corcoran
 16 KIMBERLY CORCORAN
 17 Attorneys for Plaintiffs

18 Dated: September 5, 2012

DAVIES PEARSON, P.C

19 By: s/Rebecca M. Larson
 20 REBECCA M. LARSON
 21 Appearance *Pro Hac Vice*
 22 Attorneys for Defendant CH₂O, Inc.

23 II.

24 ORDER

25 The court has reviewed the stipulation of the parties as well as the files and records in this
 26 action. After such review, and good cause appearing therefor, the agreed-to briefing schedule is
 27 herein the order of this court. Defendant shall file its papers in opposition to plaintiffs' partial
 28

1 motion for summary judgment no later than September 21, 2012 and plaintiffs shall file their
2 reply papers in support of the motion no later than October 5, 2012.

3 It is so ordered.

